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Planning Department

INTERDEPARTMENTAL COMMUNICATION

To: Planning Board **Date:** March 21, 2007
From: Kristin K. Alexander, AICP, Assistant Town Planner *KLA*
Subject: Acton Suzuki Sign Special Permit – 60 Powder Mill Road

Attached are the application and department comments for the Acton Suzuki Sign Special Permit proposal. Below is basic information about the proposal, a project summary, and Planning Department comments. The applicant should address all department comments.

Location: 60 Powder Mill Road
Map and Parcel: J-3, 49-1
Zoning: Powder Mill (PM)
Requests: a taller sign than allowed ("S" sign)
one additional sign ("Suzuki" sign)
signs in locations not otherwise permitted ("S" and "Suzuki" signs)
Applicant: Michael Privitera, Salem, NH, for United Sign Systems
Property Owner: Acton Suzuki, Inc., Leo Bertolami, Acton, MA
Public Hearing: March 27, 2007 (7:45 p.m.)
Decision Due: May 3, 2007

Project Summary

1st request: A Taller Sign than Allowed – "S" sign (Sign B)

Acton Zoning Bylaw (Bylaw) Section 7.7.4.2 limits the height of wall signs to 3 feet in business zoning districts. Bylaw Section 7.13.1.2a) provides the Planning Board (Board) with the authority to grant a special permit for a sign up to one and one half times higher than the maximum height. The proposed "S" sign is 4.5 feet high.

2nd request: One Additional Sign - "Suzuki" (Sign C)

Under Bylaw Section 7.7.1, only one exterior wall, projecting, or awning sign is permitted for the business. Bylaw Section 7.13.1.1 provides the Board with the authority to grant a greater number of signs than allowed, but not more than one sign in addition to the number of signs otherwise permitted per lot or business. The applicant is already proposing the "S" sign, so the proposed "Suzuki" sign would be one additional exterior sign.

3rd request: Signs in Locations/Positions not Otherwise Permitted – “S” & “Suzuki” (Signs B & C)
Bylaw Section 7.7.2 only allows exterior signs to be erected on the exterior wall of the ground floor and up to one foot below the level of the bottom sills of the windows of the story above the ground floor of the building. Bylaw Section 7.7.3 states that exterior signs shall not be erected within 6 inches of any horizontal edge of a building or structure, nor extend beyond such horizontal edge, nor be erected within 6 inches from any architectural features such as arches. The “S” sign and the “Suzuki” sign are proposed to be located on an arch that projects from the exterior wall and that is located directly under the windows on the story above the ground floor. Because the two signs would be freestanding on a structural element of the building, they are not really wall signs, although appear as such from view of Powder Mill Road. For these reasons, the two proposed signs do not comply with Bylaw Sections 7.7.2 and 7.7.3. Under Bylaw Section 7.13.1.3, the Board has the authority to grant a special permit for signs in locations or in positions not otherwise permitted.

Other Proposed Sign – “Acton” sign (Sign D)

The applicant has also proposed an “Acton” sign. The applicant’s first choice in location for the sign is half way between the entrance/exit doors and the proposed “Suzuki” sign. This sign is not allowed by-right, and because of the number of other proposed exterior signs, it cannot be granted a sign permit or sign special permit. In other words, the first choice “Acton” sign is prohibited. The applicant’s second choice in location for an “Acton” sign is in the window directly above the entrance/exit doors. “Window signs” (Bylaw Section 7.5.16) are defined differently than “exterior signs” (Bylaw Section 7.7.1) and are allowed by-right as long as they meet certain criteria spelled out in the Bylaw. Therefore, a sign special permit is not required for this sign, but the Board should still take it into consideration when reviewing the “S” sign (Sign B) and the “Suzuki” sign (Sign C) special permit requests. The applicant should consult with Garry Rhodes, Acton’s Building Commissioner and Zoning Enforcement Officer, before finalizing the design for the “Acton” sign to ensure all window sign criteria has been met.

Existing Signs (Sign A and other signs)

Acton Suzuki has received a sign permit from the Building Commissioner for a freestanding sign at the driveway entrance to the business adjacent to Powder Mill Road (Sign A). It states “S Suzuki”. It has not been installed yet, but there is currently a temporary freestanding sign in its place. There are also several window (paper) signs currently on the property as shown in page 11 of the application. The site plan (page 9) shows another freestanding sign on the southwest corner of the property adjacent to Powder Mill Road. It has not been identified in the application. When I went to visit the site, this other freestanding sign had a blue tarp over it, so I could not read it. Bylaw Section 7.8.1 allows only one freestanding per lot and it shall identify a business located on the same lot. Therefore, the freestanding sign in the southwest corner of the property (with the blue tarp covering it) does not comply with the Bylaw.

Comments

1. The freestanding sign located in the southwest corner of the property should be removed since it does not comply with Bylaw Section 7.8.1.
2. Bylaw Section 7.4.3.4e) requires the type of signs proposed to have “soft-glow light sources” and “opaque” backgrounds¹. Bylaw Section 7.4.3.7 states that the display area of an illuminated sign shall not exceed an average illuminance of 50 foot-candles

¹ “Opaque” as used in Bylaw Section 7.4.3.4 means that the opaque object shall appear black when the sign is lit at night.

measured directly on the surface of the sign. It is difficult to determine whether the "Suzuki" sign, and especially the "S" sign since it is proposed to have red LEDs, will be illuminated with soft-glow light sources and comply with the average illuminance requirements. It is also difficult to determine whether the white/silver background of the signs will be opaque. The applicant should provide the Board with example photographs of these signs illuminated at night to demonstrate how the illumination will comply with Bylaw Sections 7.4.3.4e). Furthermore, the plans should be stamped and/or signed by the sign designer and/or sign installer certifying that the illuminated signs will comply with Bylaw Section 7.4.3.7.

3. If the applicant can show to the satisfaction of the Board that the illumination of the proposed "S" sign and proposed "Suzuki" sign complies with the Bylaw, staff believes the two signs would be appropriate in scale, design, and proportion to the architecture of the Suzuki building. If the illumination requirements are met, the two proposed signs would not detract from the aesthetic qualities of the surrounding area. In staffs' opinion, the "Acton" sign contemplated for inside the window above the entrance/exit doors also does not seem to be inconsistent with the building architecture or excessive even if the proposed "S" and "Suzuki" signs are approved by the Board. However, there are several window signs currently on the property and staff feels that these signs would be unnecessary and excessive if the "S" sign and "Suzuki" sign are approved by the Board and should be removed.

If at the March 27th public hearing the applicant does not provide evidence of compliance with the illumination requirements of Bylaw Section 7.4.3.4e), staff recommends continuing the public hearing to April 24, 2007 and extending the decision deadline to May 10, 2007.